

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JIMMY MCCLENDON; HAROLD LUND;
PETER SUMATKAKU; DAVID MICHAEL
BAUER; CARL RAY LOPEZ; BRUCE
DAVID MORAWE; THOMAS YOUNG;
RUTHIE DURAN; DEBORAH LAVERA;
JANELLE ROYBAL; DANETTE DIFIORI;
MARIA SISNEROS; LARRY GREEN;
BARTEL HALEY; MICHAEL COTE; JOE
RAY HERRERA; JOSIE KRIENA; DEBBIE
LUCERO; DAVID SHAWKIN; MARC A.
GILLETTE; GEORGE CHAVEZ; ELISEO
BACA; CLINT BARRAS; FRANCISCO
MELENDEZ; SAMUAL HERROD; VINCENT
PADILLA; CARL DUCKWORTH; JOSEPH
W. ANDERSON; PAUL JOHNSON; FRED
MALL; HECTOR LOPEZ; RICKY ROSE;
HERBERT KING, SR.; JAMES PARKS;
MICHAEL A. JOHNSON; JOHNNY
VALLEJOS; JOE NEWBERRY; DARRYL
CRAFT; ALBERT WILLY; WILLIAM P.
JIMMY; AUGUSTINE TAPIA; RICHARD A.
SMITH; ROBERT LOVATO; ROY
WHATLEY; MARTY BEGAY; MARTIN
VALDIVIA; TALLIE THOMAS;
AUGUSTINE JACKSON; DONALD HALL;
CARL SUR; STEVE ESQUIBEL; LONNIE
WHATLEY; JAMES SAIZ; BRYON
ZAMORA; ALLEN M. SAWYER; PATRICK
BENNY ROMERO; RICHARD C. KOPECKY;
PHILLIP SHUMATE; NELSON ROMERO;
STEVE JOHNSON; BENNIE F. GARCIA;
LOUIE CHAVEZ; BRIAN SALAZAR;
RICHARD GALLEGOS; LARRY STROUD;
JAMES BURKS; BRAD FISCHER; AMIHON
BACA; JEFF DILLOW; PETE MCQUEEN;
MANUEL MARTINEZ; ARNOLD
ANTHONY MAESTAS and JOHN HEWATT,

Plaintiffs,

vs.

No. CIV 95-0024 JB/KBM

E.M.; R.L.; W.A.; D.J.; P.S.; N.W. and
SHAWNA TANNER,

Plaintiff-Intervenors,

vs.

CITY OF ALBUQUERQUE; MARTIN CHAVEZ, Mayor of Albuquerque; COUNTY OF BERNALILLO; PATRICK BACA, Bernalillo County Commissioner; ALBERT VALDEZ, Bernalillo County Commissioner; EUGENE GILBERT, Bernalillo County Commissioner; BARBARA SEWARD, Bernalillo County Commissioner; JACQUELINE SCHAEFER, Bernalillo County Commissioner; BILL DANTIS, Director, Bernalillo County Detention Center; BERNALILLO COUNTY DETENTION CENTER; PAUL SANCHEZ; FRANK LOVATO; ERCELL GRIFFIN, Deputy Director, Bernalillo County Detention Center; MICHAEL SMITH, Lieutenant; JOHN VAN SICKLER, Lieutenant; WILL BELL, Officer; ALFRED CHAVEZ, Lieutenant; RICHARD FUSCO, Lieutenant; GEORGE FUENTES; DAVID BACA, Lieutenant; VICTOR HERNANDEZ; KEVIN D. SEVIR; DR. JIM MASON; BARBARA COLE; MARIA LUCERO; DAVID ROYSTON; FELIMON MARTINEZ, Captain; STANLEY LENTS; DOUGLAS ROBINSON; SEAL BARLEY; LYNN KING; DAVID SHERMAN; BRIAN MASER; JOHN DOES, Employees of Bernalillo County Detention Center; NANCY L. SIMMONS; MICHAEL SISNEROS, Director of Bernalillo County Detention Center, in his official capacity, and BERNALILLO COUNTY BOARD OF COMMISSIONERS,

Defendants,

vs.

LAWRENCE A. JOHNSON; WILLIE

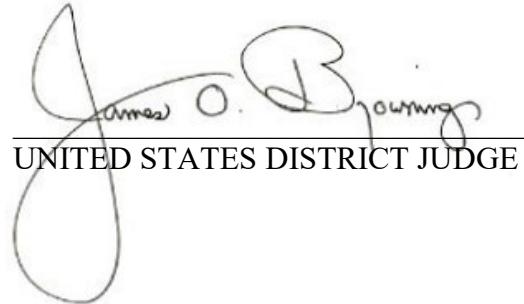
JAMES WASHINGTON; MANUEL R.
BOSWELL and AFSCME LOCAL 2499,

Intervenors.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Plaintiffs and the Plaintiff-Intervenors' Expedited Motion to Vacate Hearing and Set Scheduling Conference on UNM's Motion to Modify Orders, filed November 3, 2023 (Doc. 1676). The Court held a hearing on November 6, 2023. The primary issue is whether the Court should vacate the November 21, 2023, hearing in this matter and hold a scheduling conference. For the reasons stated on the record at the hearing, see Draft Transcript of Hearing at 34:8-35:19 (taken November 6, 2023)(Court),¹ the Court denies the Plaintiffs and the Plaintiff-Intervenors' request to vacate the November 21, 2023, hearing.

IT IS ORDERED that: (i) the Plaintiffs and the Plaintiff-Intervenors' Expedited Motion to Vacate Hearing and Set Scheduling Conference on UNM's Motion to Modify Orders, filed November 3, 2023 (Doc. 1676), is denied; and (ii) discovery is allowed on the Regents of the University of New Mexico's Motion to Modify Orders, filed October 20, 2023 (Doc. 1667).



UNITED STATES DISTRICT JUDGE

Counsel and Parties:

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¹The Court's citations to the transcript of the hearing refer to the court report's original, unedited version. Any final transcript may contain slightly different page and/or line numbers.

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